

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,)	
)	
)	2:07-cr-340
v.)	
)	
JUSTIN SWOGER,)	
)	
Defendant.)	

ORDER OF COURT

AND NOW, this 15th day of September, 2008, the Court finds that defendant has violated the conditions of his bond as charged in the PETITION FOR ACTION ON CONDITIONS OF PRETRIAL RELEASE (Document No. 81). Specifically, the Court finds that defendant violated the terms of bond set in the Order Setting Conditions of Release of October 24, 2007, when he (1) submitted a drug test which tested positive for morphine on June 12, 2008 (2) submitted a specimen which tested positive for oxycodone on July 11, 2008 (3) failed to appear for drug testing on multiple occasions at CARE in Washington, Pennsylvania and (4) failed to appear in person to pretrial services on the first Wednesday of May, June, July and August and (5) failed to report weekly by telephone to Pretrial Services on multiple occasions during May, June, July and August 2008.

Accordingly, **IT IS ORDERED** that the bond imposed in the Order Setting Conditions of Release of October 24, 2007, be, and the same is hereby, **REVOKED** and defendant is **ORDERED** to be detained until resolution of the pending judicial proceedings in this matter. Furthermore, the Court recommends that while in custody, defendant shall participate in a drug treatment program. IT IS FURTHER ORDERED that pursuant to 18 U.S.C. § 3142(i), defendant be committed to the custody of the Attorney General for confinement in a corrections facility

separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded reasonable opportunity for private consultation with counsel and that on Order of Court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

BY THE COURT:

s/ Terrence F. McVerry
United States District Court Judge

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